IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS EL PASO DIVISION

RICK J. SEEBERGER and SUSAN C.	§	
SEEBERGER,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	
BANK OF AMERICA, N.A., BAC	§	
HOME LOANS SERVICING LP,	§	
PRLAP, INC., BANK OF AMERICA	§	
CORPORATION, VENTURES TRUST	§	
2013 I-H-R, and BSI FINANCIAL	§	
SERVICES, INC.,	§	
	§	EP-14-CV-366-KC
Defendants,	§	L1 -14-C V -300-IXC
	§	
	§	
VENTURES TRUST 2013 I-H-R,	s §	
Counter-Plaintiff,	\$ §	
	\$ §	
V.	\$ §	
	\$ §	
RICK J. SEEBERGER and SUSAN C.	\$ §	
SEEBERGER,	\$ §	
	s §	
Counter-Defendants.	§	

ORDER

On this day, the Court sua sponte considered the above-captioned case. On December 16, 2015, the Court ordered Counter-Plaintiff Ventures Trust 2013 I-H-R ("Ventures") to inform the Court whether it wishes to pursue its counterclaims. Order 2, ECF No. 120. The Court ordered that "if Ventures wishes to pursue its counterclaims, Ventures and Plaintiffs shall meet

and confer, and provide the Court with the name of the alternative dispute resolution ('ADR') provider, as well as the date of the ADR, **on or before** <u>January 18, 2016</u>." *Id.* Ventures has not informed the Court that it wishes to pursue its counterclaims, and the Court has received no notice of the parties' meeting, the name of the ADR provider, or the date of the ADR. Accordingly, it is hereby **ORDERED** that Ventures' counterclaims are **DISMISSED**.

IT IS FURTHER ORDERED that all pending motions in this case are hereby **DENIED** as moot.

IT IS FURTHER ORDERED that all costs of court and attorneys' fees shall be paid by the party incurring same.

The Clerk shall close the case.

SO ORDERED.

SIGNED this 20th day of January, 2016.

Kathler landne Kathleen Cardone Juited States district Judge